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Kentucky Commission on Human Rights July Rulings

LOUISVILLE – The Kentucky Commission on Human Rights Board of Commissioners at a quasi-judicial session today ordered Arnold and Sandy Baize d/b/a Bluegrass Café in Beaver Dam, Ky., to cease and desist from unlawful discrimination and to pay \$5,000 in damages to a former employee for firing her in August 2005 because she was pregnant.

Sunnye Arnold made a complaint against the Baizes, alleging discrimination in violation of the Kentucky Civil Rights Act [KRS 344], which makes it unlawful for an employer to discharge any individual because of that individual's sex, including an individual's pregnancy or any related medical condition.

Hearing Officer Deborah Kent said in her recommended order to the commission that the complainant proved the respondents discriminated against her based on her sex, causing her humiliation and embarrassment.

The board ruled to accept one conciliation agreement to settle a discrimination complaint. In the matter of the Lexington Fair Housing Council v. Ronnie Taylor in Glasgow, Ky., the complainant alleged the respondent placed an advertisement that said, "No Children." The Kentucky Civil Rights Act and the U.S. Fair Housing Act prohibit real estate advertising that discriminates based on familial status against people who have children under the age of 18 living in the household. The respondent apologized for not knowing the law and agreed to donate \$500 to Kosair Children's Hospital in Louisville.

The commission dismissed 32 cases with findings of no probable cause, accepted 13 withdrawals with private, undisclosed settlements, and accepted five withdrawals without settlements but with the right to file private suits.

In other business, the commission passed a resolution to honor the recently deceased Rev. Louis Coleman Jr. of Louisville and his contributions to civil rights. “Reverend Coleman dedicated himself for over three decades in service of a higher vision of a Kentucky built on foundations of true equality,” said John J. Johnson, executive director of the commission.

The commission passed a resolution to support the 2010 U.S. Census and to encourage all people to participate in the survey. “Census data helps determine the placement of more than \$300 billion a year in federal and state funding,” said Commission Chair Henry Curtis. “Census information also serves as a basis for determining legislative representation,” he said.

The Kentucky Commission on Human Rights is the state government agency that enforces the Kentucky Civil Rights Act and the policies of federal civil rights laws. The Kentucky Civil Rights Act prohibits discrimination on the bases of race, color, religion, national origin, sex, age and disability in the jurisdictions of employment, public accommodations, housing and financial transactions. Tobacco-smoking status is an additional protected class in the jurisdiction of employment.